

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

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|----------------------|---|--------------------------|
| ROBERT WOLFENBARKER, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No.: 2:19-CV-162-TAV-CRW |
| |) | |
| F/N/U HODGES and |) | |
| F/N/U SMITH, |) | |
| |) | |
| Defendants. |) | |

JUDGMENT ORDER

For the reasons set forth in the memorandum opinion, filed contemporaneously with this order, this pro se prisoner's complaint for relief under 42 U.S.C. § 1983 is **DISMISSED** for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b). Defendants' motion for summary judgment [Doc. 30] is, accordingly, **DENIED** as moot.

Because the Court **CERTIFIED** in the memorandum opinion that any appeal from this order would not be taken in good faith, should Plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24.

The Clerk is **DIRECTED** to close the file.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT
s/ John L. Medearis
CLERK OF COURT